

1 **RICHARD A. SMITH, WSBA 15127**

2 **SMITH LAW FIRM**

3 314 No. Second Street

4 Yakima, WA 98901

5 Telephone: 509-457-5108

6 **MARK A. LARRAÑAGA**

7 **WALSH & LARRAÑAGA**

8 140 Lakeside Ave. Suite A-338

9 Seattle, WA 98122

10 Telephone: (206) 972-0151

11 **STEPHEN R. HORMEL**

12 **HORMEL LAW OFFICE**

13 17722 E. Sprague Avenue

14 Spokane Valley, WA 99016

15 Telephone: (509) 998-4824

16 **Attorneys for Defendant**

17 Donovan Cloud

18 **IN THE UNITED STATES DISTRICT COURT**  
19 **FOR THE EASTERN DISTRICT OF WASHINGTON**  
20 **(Honorable Stanley A. Bastian)**

21 UNITED STATES OF AMERICA,  
22 Plaintiff,

23 vs.

24 DONOVAN CLOUD,  
25 Defendant.

) No. 1:19-CR-2032

)

) MOTION FOR LEAVE TO FILE

) THE PREPONSE TO THE PSI TO

) DATE OF FILING, EXEND TIME

) TO FILE THE SENTENCING

) MEMORANDUM & EXPEDITE

) THE HEARING

)

) **Notice of Hearing on Motion:**

) September 7, 2022, at 6:30 pm

26 **TO: Clerk of U.S. District Court, Eastern District of Washington**

**TO: Thomas J. Hanlon, Assistant United States Attorney**

MOTION TO EXTEND TIME

1 COMES NOW DONOVAN CLOUD through his attorneys, Richard A. Smith  
2 of *Smith Law Firm*, Mark A. Larrañaga of *Walsh and Larrañaga*, and Stephen  
3 Hormel of *Hormel Law Office*, and moves this Court leave to file the response to the  
4 presentence report (PSI) to the date of filing, to extend the time to file the sentencing  
5 memorandum to September 16, 2022, and to expedite hearing on the motion.  
6

7  
8 This Court was assigned this case for sentencing on August 3, 2022. (ECF No.  
9 846). The sentencing hearing was reset to October 12, 2022, which is approximately  
10 two weeks from the date set by Judge Mendoza. (ECF No. 848). Judge Mendoza set  
11 a deadline of September 2, 2022, for filing all motion and sentencing memoranda  
12 relating to sentencing. (ECF No. 842 at 3). This Court did not set different deadlines  
13 upon reassignment. (ECF No. 846).  
14

15  
16 Defense counsel has been working on the response to the presentence report  
17 and on the sentencing memorandum. However, those matters were not filed by Judge  
18 Mendoza's deadline.  
19

20 Counsel is filing the response to the presentence report on this date and seeks  
21 to extend the sentencing memorandum to September 16, 2022. This extension  
22 request reflects approximately the same amount of time from the time sentencing was  
23 set on September 27, 2022, to the time this Court reset the sentencing hearing.  
24

25 Counsel has contacted AUSAs Hanlon and Burson relating to this request.  
26 Understandably, since this is a weekend, counsel has not received the government's

MOTION TO EXTEND TIME

1 position. This request is within the same timeframe that Judge Mendoza required the  
2 sentencing documents to be filed from September 27, 2022.

3  
4 Therefore, it is requested that the Court grant leave to file the response to the  
5 presentence report to the date of filing and extend the time to file the sentencing  
6 memorandum to September 16, 2022. It is also requested that the Court expedite  
7 hearing on this motion.  
8

9 DATED this 3rd day of September, 2022.

10 Presented by:

11 /s/ Richard A. Smith

12 RICHARD A. SMITH, WSBA #15127

13 /s/ Mark A. Larrañaga

14 MARK A. LARRAÑAGA, WSBA #22715

15 /s/ Stephen R. Hormel

16 STEPHEN R. HORMEL, WSBA #18733

17 Attorneys for Defendant Donovan Cloud

18 **Service Certificate**

19  
20 I hereby certify that on September 3, 2022, I electronically filed the foregoing with  
21 the Clerk of the Court using the CM/ECF System which will send notification of such  
22 filing to the following: AUSAs Thomas Hanlon and Richard Burson, and James  
23 Donovan Counsel, Jay McEntire, Lorinda Youngcourt and Jeremy Sporn.  
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25 /s/ Stephen R. Hormel

26 STEPHEN R. HORMEL, WSBA #18733

MOTION TO EXTEND TIME

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MOTION TO EXTEND TIME